

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:	2838)	STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR UNDER 37 C.F.R. 1.47
Serial No.	09/035,586)	
Filing Date:	March 5, 1998)	
Applicants:	Robert G. Moores, Jr., et al)	
For:	BATTERY COOLING SYSTEM)	
)	

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the Declaration by the nonsigning inventor for the above-identified patent application before deposit thereof in the United States Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited herein.

**Identification of Person Making
this Statement of Facts:**

Robert Bradus

Residence:

904 Clymer Court, Bel Air, Maryland 21015

Citizenship:

United States of America

Nonsigning Inventor

Douglas L. Kreiser

Last Known Residence:

2825 Rosalie Avenue, Baltimore, Maryland 21234

Citizenship:

United States of America

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ON BEHALF OF NONSIGNING INVENTOR UNDER 37 C.F.R. 1.47

DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR

The following is a summary of the actions and procedures taken by myself and the attorneys of record in this case to obtain the signature of Mr. Douglas L. Kreiser. Copies of documentary evidence is also attached as set forth below.

1. On or about February 1, 1998, I had a telephone conversation with the Human Resources Department at The Black & Decker Corporation. I was informed that when Mr. Kreiser left his employ with Black & Decker, he refused to provide a forwarding address. They provided me with Mr. Kreiser's last known address - 2825 Rosalie Avenue, Baltimore, Maryland 21234.

2. On February 17, 1998, I forwarded a letter to Mr. Kreiser, via Certified Mail, Return Receipt Requested, with a notation on the envelope to the Postal Service to supply a forwarding address, if applicable. My letter requested Mr. Kreiser to contact me concerning his interest in the above-identified patent application. The letter was returned by the Post Office, marked Addressee Unknown and no forwarding address was supplied. A copy of the letter is attached as Exhibit A.

3. On March 4, 1998, I contacted the Postal Service and requested a forwarding address for Douglas L. Kreiser. I was informed that they had no forwarding address on file for Mr. Kreiser.

4. On March 6, 1998, I forwarded another letter to Douglas Kreiser at his last known address, again hoping that the Postal Service might provide a forwarding address. This time, the envelope was returned with a forwarding order sticker, indicating that Mr. Kreiser's mail was being forwarded to P.O. Box 28329, Baltimore, Maryland 21234-8329 (see attached Exhibit B).

5. On July 30, 1998, I forwarded another letter to Mr. Kreiser, this time addressed to P.O. Box 28329 in Baltimore, and again indicated my eagerness to speak with him regarding the filing of the above-identified patent application and requesting that he contact me concerning same. This letter was never returned by the Post Office. A copy of my July 30, 1998 letter is attached as Exhibit C.

6. In late July, 1998, I conducted an Internet Search on Douglas L. Kreiser. I located several listings and attempted to contact several of the persons listed as "Douglas" or "D" Kreiser by telephone. My search ended without success, as I was either informed that I had reached the wrong person, or I was unable to get a telephone answer.

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7. Dennis A. Dearing, Senior Group Patent Counsel, Patent, Trademark & Licensing Department, of The Black & Decker Corporation, finally contacted Mr. Kreiser by telephone. Mr. Kreiser indicated his willingness to cooperate, however hesitant. An address and telephone number at which he could be reached was ascertained. Mr. Kreiser was told that he would be contacted by Black & Decker's outside attorneys, Harness, Dickey & Pierce, P.L.C., who were now in possession of the formal papers which needed to be signed. Mr. Kreiser maintained his current address to be P.O. Box 28329, Baltimore, Maryland 21234-8329 and provided a telephone number of 910-525-3516.

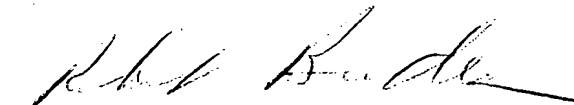
8. On August 18, 1998, W. R. Duke Taylor of Harness, Dickey & Pierce, P.L.C., attorneys of record for this case, sent a letter to Mr. Kreiser, addressed to P.O. Box 28329, Baltimore, Maryland 21234-8329; Mr. Kreiser was sent a Declaration and Power of Attorney, signed by all of the other named inventors, and also an Assignment document, both documents for his signature. Mr. Kreiser did not respond to this letter, nor was the letter returned by the post office. A copy of the August 18, 1998 letter is attached as Exhibit D.

9. Subsequently, Applicants' attorney attempted to contact Mr. Kreiser by telephone on several occasions, at all different hours of the day and night, and never received an answer.

10. On September 16, 1998, Applicants' attorney sent a second letter to Mr. Kreiser, requesting that he return the signed documents or make contact by telephone if he had questions. This letter was returned by the Post Office as "Unclaimed". See attached Exhibit E.

I declare that the facts as set forth above are true and accurate according to my present information, knowledge and belief.

Dated: 19 Nov, 1998



Robert Bradus
904 Clymer Court
Bel Air, Maryland 21015